

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

DARREN HARRIS,

Plaintiff,

v.

KIM, et al.,

Defendants.

Case No. 1:05-cv-00003-AWI-SKO (PC)

**ORDER DIRECTING PERSONAL  
SERVICE OF SUBPOENA DUCES  
TECUM WITHIN SEVEN DAYS BY  
UNITED STATES MARSHALS SERVICE  
WITHOUT PREPAYMENT OF COSTS**

(Doc. 33)

Plaintiff Darren Harris, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 3, 2005. This action is proceeding on Plaintiff's fourth amended complaint against Defendants Olivarria, Williams, and Kim for violation of the Eighth Amendment, and against Defendants Olivarria and Lowden for violation of the First Amendment.

On July 23, 2014, the Court issued an order authorizing the issuance of a subpoena duces tecum. Fed. R. Civ. P. 4, 45; 28 U.S.C. § 1915(d). The requisite notice having been issued pursuant to Federal Rule of Civil Procedure 45(a)(4), it is HEREBY ORDERED that:

1. The Clerk of the Court shall forward the following documents to the United States Marshal (USM):

a. One (1) completed and issued subpoena duces tecum to be served on:

**Jeffery Beard, Ph.D., Secretary,  
California Department of Corrections and Rehabilitation,**

**1515 S Street  
Sacramento, CA, 95811;**

b. One (1) completed USM-285 form; and

c. Two (2) copies of this order, one to accompany the subpoena and one for the USM;

2. Within **seven (7) calendar days** from the date of this order, the USM is DIRECTED to serve the subpoena in accordance with the provisions of Rule 45 of the Federal Rules of Civil Procedure;

3. The USM SHALL effect personal service of the subpoena duces tecum, along with a copy of this order, upon the individual/entity named in the subpoena pursuant to Rule 45 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c); and

4. Within **ten (10) days** after personal service is effected, the USM SHALL file the return of service, along with the costs subsequently incurred in effecting service, and said costs shall be enumerated on the USM-285 form.

IT IS SO ORDERED.

Dated: **August 15, 2014**

**/s/ Sheila K. Oberto**  
UNITED STATES MAGISTRATE JUDGE